

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

ABDOUL HANNE,

Defendant.

19 Cr. 846 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

On May 10, 2022, Defendant Abdoul Hanne was sentenced to a term of imprisonment of ninety (90) months, to be followed by a term of four (4) years of supervised release. (Dkt. #267).

On April 19, 2024, Defendant Hanne filed a motion requesting that this Court consider a sentence reduction pursuant to Amendment 821 to the United States Sentencing Guidelines, which amendment went into effect on November 1, 2023, and applies retroactively. (Dkt. #383). The United States Probation Department has issued a report indicating that Mr. Hanne is not eligible for a sentence reduction. (Dkt. #385).

The Court has considered the record in this case, and the submissions on this motion. The Court finds that Defendant Hanne is ineligible for a reduction in sentence pursuant to Amendment 821 because (i) Defendant Hanne is precluded from the zero-point offender reduction and (ii) the original sentence was at or below the low end of the amended guidelines range. The Court thus DENIES his motion.

The United States Probation Department report, however, indicates that Defendant Hanne is eligible for a status point recalculation. The amended total

criminal history score shall now be 6. Accordingly, the amended criminal history category shall now be III. (*See* Dkt. #385).

The Clerk of Court is directed to terminate the motion at docket entry 383, and is further directed to mail a copy of this Order and the accompanying AO 247 Form, to Defendant Hanne at the following address:

Adboul Hanne
USM No. 87979-054
FCI Schuylkill
Federal Correctional Institution
P.O. Box 759
Minersville, PA 17954

SO ORDERED.

Dated: May 21, 2024
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge